

Multiple Agency Fiscal Note Summary

Bill Number: 5438 E 2S SB AMH APP H2885.1	Title: Ag & seasonal workforce srv
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Estimated Cash Receipts

NONE

Estimated Operating Expenditures

Agency Name	2019-21			2021-23			2023-25		
	FTEs	GF-State	Total	FTEs	GF-State	Total	FTEs	GF-State	Total
Office of State Treasurer	.0	0	0	.0	0	0	.0	0	0
Department of Labor and Industries	.0	0	0	.0	0	0	.0	0	0
Department of Health	.0	0	0	.0	0	0	.0	0	0
Department of Agriculture	.1	17,200	17,200	.0	5,800	5,800	.0	5,800	5,800
Employment Security Department	14.0	0	3,487,432	13.9	0	3,457,990	13.9	0	3,457,990
Total \$	14.1	17,200	3,504,632	13.9	5,800	3,463,790	13.9	5,800	3,463,790

Estimated Capital Budget Expenditures

Agency Name	2019-21			2021-23			2023-25		
	FTEs	Bonds	Total	FTEs	Bonds	Total	FTEs	Bonds	Total
Office of State Treasurer	.0	0	0	.0	0	0	.0	0	0
Department of Labor and Industries	.0	0	0	.0	0	0	.0	0	0
Department of Health	.0	0	0	.0	0	0	.0	0	0
Department of Agriculture	.0	0	0	.0	0	0	.0	0	0
Employment Security Department	.0	0	0	.0	0	0	.0	0	0
Total \$	0.0	0	0	0.0	0	0	0.0	0	0

Estimated Capital Budget Breakout

NONE

Prepared by: Anna Minor, OFM	Phone: (360) 902-0541	Date Published: Final 4/19/2019
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Individual State Agency Fiscal Note

Bill Number: 5438 E 2S SB AMH APP H2885.1	Title: Ag & seasonal workforce srv	Agency: 090-Office of State Treasurer
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Part I: Estimates

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No Fiscal Impact

The cash receipts and expenditure estimates on this page represent the most likely fiscal impact. Factors impacting the precision of these estimates, and alternate ranges (if appropriate), are explained in Part II.

Check applicable boxes and follow corresponding instructions:

- ☐ If fiscal impact is greater than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete entire fiscal note form Parts I-V.
- ☐ If fiscal impact is less than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete this page only (Part I).
- ☐ Capital budget impact, complete Part IV.
- ☐ Requires new rule making, complete Part V.

Legislative Contact: Jessica Van Horne	Phone: 360-786-7288	Date: 04/15/2019
Agency Preparation: Dan Mason	Phone: (360) 902-8990	Date: 04/17/2019
Agency Approval: Dan Mason	Phone: (360) 902-8990	Date: 04/17/2019
OFM Review: Ramona Nabors	Phone: (360) 902-0547	Date: 04/17/2019

Part II: Narrative Explanation

II. A - Brief Description Of What The Measure Does That Has Fiscal Impact

Briefly describe by section number, the significant provisions of the bill, and any related workload or policy assumptions, that have revenue or expenditure impact on the responding agency.

E2SSB 5438 AMH APP H2885.1 strikes the provision that created the H-2A enforcement account, which existed in previous versions of the bill.

There is no fiscal impact to the office.

II. B - Cash receipts Impact

Briefly describe and quantify the cash receipts impact of the legislation on the responding agency, identifying the cash receipts provisions by section number and when appropriate the detail of the revenue sources. Briefly describe the factual basis of the assumptions and the method by which the cash receipts impact is derived. Explain how workload assumptions translate into estimates. Distinguish between one time and ongoing functions.

II. C - Expenditures

Briefly describe the agency expenditures necessary to implement this legislation (or savings resulting from this legislation), identifying by section number the provisions of the legislation that result in the expenditures (or savings). Briefly describe the factual basis of the assumptions and the method by which the expenditure impact is derived. Explain how workload assumptions translate into cost estimates. Distinguish between one time and ongoing functions.

Part III: Expenditure Detail

Part IV: Capital Budget Impact

NONE

Part V: New Rule Making Required

Identify provisions of the measure that require the agency to adopt new administrative rules or repeal/revise existing rules.

Individual State Agency Fiscal Note

Bill Number: 5438 E 2S SB AMH APP H2885.1	Title: Ag & seasonal workforce srv	Agency: 235-Department of Labor and Industries
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Part I: Estimates

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No Fiscal Impact

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Check applicable boxes and follow corresponding instructions:

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- ☐ If fiscal impact is less than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete this page only (Part I).
- ☐ Capital budget impact, complete Part IV.
- ☐ Requires new rule making, complete Part V.

Legislative Contact: Jessica Van Horne	Phone: 360-786-7288	Date: 04/15/2019
Agency Preparation: Bobby Kendall	Phone: 902-6980	Date: 04/18/2019
Agency Approval: Trent Howard	Phone: 360-902-6698	Date: 04/18/2019
OFM Review: Anna Minor	Phone: (360) 902-0541	Date: 04/18/2019

Part II: Narrative Explanation

II. A - Brief Description Of What The Measure Does That Has Fiscal Impact

Briefly describe by section number, the significant provisions of the bill, and any related workload or policy assumptions, that have revenue or expenditure impact on the responding agency.

This bill establishes the office of agricultural and seasonal workforce services at the Employment Security Department.

II. B - Cash receipts Impact

Briefly describe and quantify the cash receipts impact of the legislation on the responding agency, identifying the cash receipts provisions by section number and when appropriate the detail of the revenue sources. Briefly describe the factual basis of the assumptions and the method by which the cash receipts impact is derived. Explain how workload assumptions translate into estimates. Distinguish between one time and ongoing functions.

None.

II. C - Expenditures

Briefly describe the agency expenditures necessary to implement this legislation (or savings resulting from this legislation), identifying by section number the provisions of the legislation that result in the expenditures (or savings). Briefly describe the factual basis of the assumptions and the method by which the expenditure impact is derived. Explain how workload assumptions translate into cost estimates. Distinguish between one time and ongoing functions.

The proposed bill does not have fiscal impact for the Department of Labor and Industries and can be implemented with existing resources.

Part III: Expenditure Detail

Part IV: Capital Budget Impact

NONE

None.

Part V: New Rule Making Required

Identify provisions of the measure that require the agency to adopt new administrative rules or repeal/revise existing rules.

None.

Individual State Agency Fiscal Note

Bill Number: 5438 E 2S SB AMH APP H2885.1	Title: Ag & seasonal workforce srv	Agency: 303-Department of Health
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Part I: Estimates



No Fiscal Impact

The cash receipts and expenditure estimates on this page represent the most likely fiscal impact. Factors impacting the precision of these estimates, and alternate ranges (if appropriate), are explained in Part II.

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- ☐ Capital budget impact, complete Part IV.
- ☐ Requires new rule making, complete Part V.

Legislative Contact: Jessica Van Horne	Phone: 360-786-7288	Date: 04/15/2019
Agency Preparation: Jodine Sorrell	Phone: (360) 236-3015	Date: 04/18/2019
Agency Approval: Stacy May	Phone: (360) 236-4532	Date: 04/18/2019
OFM Review: Bryce Andersen	Phone: (360) 902-0580	Date: 04/19/2019

Part II: Narrative Explanation

II. A - Brief Description Of What The Measure Does That Has Fiscal Impact

Briefly describe by section number, the significant provisions of the bill, and any related workload or policy assumptions, that have revenue or expenditure impact on the responding agency.

There is no fiscal change from the fiscal note submitted for 5438 E2SSB.

Section 3: The newly created office of agricultural and seasonal workforce services is required to coordinate any field visits with the Department of Health (DOH); however, this does not directly impact the DOH Temporary Worker Housing program or related activities. No fiscal impact to DOH.

Section 5: An advisory committee is created to review issues and topics of interest related to agricultural and seasonal workforce services. Although DOH is named a non-voting member, the proposed committee work is continuation of work that DOH currently does; therefore, no fiscal impact to DOH.

II. B - Cash receipts Impact

Briefly describe and quantify the cash receipts impact of the legislation on the responding agency, identifying the cash receipts provisions by section number and when appropriate the detail of the revenue sources. Briefly describe the factual basis of the assumptions and the method by which the cash receipts impact is derived. Explain how workload assumptions translate into estimates. Distinguish between one time and ongoing functions.

II. C - Expenditures

Briefly describe the agency expenditures necessary to implement this legislation (or savings resulting from this legislation), identifying by section number the provisions of the legislation that result in the expenditures (or savings). Briefly describe the factual basis of the assumptions and the method by which the expenditure impact is derived. Explain how workload assumptions translate into cost estimates. Distinguish between one time and ongoing functions.

Part III: Expenditure Detail

Part IV: Capital Budget Impact

NONE

Part V: New Rule Making Required

Identify provisions of the measure that require the agency to adopt new administrative rules or repeal/revise existing rules.

Individual State Agency Fiscal Note

Bill Number: 5438 E 2S SB AMH APP H2885.1	Title: Ag & seasonal workforce srv	Agency: 495-Department of Agriculture
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Part I: Estimates

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No Fiscal Impact

Estimated Cash Receipts to:

NONE

Estimated Operating Expenditures from:

	FY 2020	FY 2021	2019-21	2021-23	2023-25
FTE Staff Years	0.1	0.1	0.1	0.0	0.0
Account					
General Fund-State 001-1	8,600	8,600	17,200	5,800	5,800
Total \$	8,600	8,600	17,200	5,800	5,800

The cash receipts and expenditure estimates on this page represent the most likely fiscal impact. Factors impacting the precision of these estimates, and alternate ranges (if appropriate), are explained in Part II.

Check applicable boxes and follow corresponding instructions:

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☐ Capital budget impact, complete Part IV.

☐ Requires new rule making, complete Part V.

Legislative Contact: Jessica Van Horne	Phone: 360-786-7288	Date: 04/15/2019
Agency Preparation: Ignacio Marquez	Phone: 509-249-6970	Date: 04/16/2019
Agency Approval: Nicholas Johnson	Phone: 3609022055	Date: 04/16/2019
OFM Review: Leslie Connelly	Phone: (360) 902-0543	Date: 04/19/2019

Part II: Narrative Explanation

II. A - Brief Description Of What The Measure Does That Has Fiscal Impact

Briefly describe by section number, the significant provisions of the bill, and any related workload or policy assumptions, that have revenue or expenditure impact on the responding agency.

Engrossed Second Substitute Senate Bill 5438 AMH APP H2885.1 would add a new chapter to Title 50 Revised Code of Washington (RCW) for H-2A temporary agricultural workers program.

Section 3: When conducting a field check the Washington State Department of Agriculture (WSDA) maybe contacted.

Section 5: (2)(b) WSDA to have a nonvoting ex officio member serve on the advisory committee.

Engrossed Second Substitute Senate Bill 5438 AMH APP H2885.1 has no new fiscal changes to WSDA

II. B - Cash receipts Impact

Briefly describe and quantify the cash receipts impact of the legislation on the responding agency, identifying the cash receipts provisions by section number and when appropriate the detail of the revenue sources. Briefly describe the factual basis of the assumptions and the method by which the cash receipts impact is derived. Explain how workload assumptions translate into estimates. Distinguish between one time and ongoing functions.

This proposed legislation has no cash receipt impact to the WSDA.

II. C - Expenditures

Briefly describe the agency expenditures necessary to implement this legislation (or savings resulting from this legislation), identifying by section number the provisions of the legislation that result in the expenditures (or savings). Briefly describe the factual basis of the assumptions and the method by which the expenditure impact is derived. Explain how workload assumptions translate into cost estimates. Distinguish between one time and ongoing functions.

Section 5: (2)(b) WSDA will have a nonvoting ex officio member serve on the advisory committee. The expenditure assumptions are based on .05 FTE Agricultural Community Liaison for monthly advisory committee meeting first 2 years and .02 FTE for quarterly meeting after 2 years.

Salaries and Benefits
FY20-FY21: \$8,600 per year
FY22-FY25: \$2,900 per year

Good and Services, Travel
FY20-FY21: \$800 per year
FY22-FY25: \$300per year

Administrative Overhead
FY20-FY21: \$1,200 per year
FY22-FY25: \$400 per year

Agency Administrative Overhead (payroll, HR, IT and Financial) is calculated at the agency indirect rate of 18.9% of direct program salaries and benefits, and is shown as object 9.

Part III: Expenditure Detail

III. A - Operating Budget Expenditures

Account	Account Title	Type	FY 2020	FY 2021	2019-21	2021-23	2023-25
001-1	General Fund	State	8,600	8,600	17,200	5,800	5,800
Total \$			8,600	8,600	17,200	5,800	5,800

III. B - Expenditures by Object Or Purpose

	FY 2020	FY 2021	2019-21	2021-23	2023-25
FTE Staff Years	0.1	0.1	0.1	0.0	0.0
A-Salaries and Wages	5,000	5,000	10,000	3,400	3,400
B-Employee Benefits	1,600	1,600	3,200	1,000	1,000
C-Professional Service Contracts					
E-Goods and Other Services	600	600	1,200	400	400
G-Travel	200	200	400	200	200
J-Capital Outlays					
M-Inter Agency/Fund Transfers					
N-Grants, Benefits & Client Services					
P-Debt Service					
S-Interagency Reimbursements					
T-Intra-Agency Reimbursements					
9-9-Administrative Overhead	1,200	1,200	2,400	800	800
Total \$	8,600	8,600	17,200	5,800	5,800

III. C - Operating FTE Detail: *List FTEs by classification and corresponding annual compensation. Totals need to agree with total FTEs in Part I and Part IIIA*

Job Classification	Salary	FY 2020	FY 2021	2019-21	2021-23	2023-25
AGRICULTURAL COMMUNITY LIAISON	109,140	0.1	0.1	0.1	0.0	0.0
Total FTEs		0.1	0.1	0.1	0.0	0.0

Part IV: Capital Budget Impact

NONE

This proposed legislation has no capital budget impact to the WSDA.

Part V: New Rule Making Required

Identify provisions of the measure that require the agency to adopt new administrative rules or repeal/revise existing rules.

WSDA would not require any rulemaking as a result of this proposed legislation.

Individual State Agency Fiscal Note

Bill Number: 5438 E 2S SB AMH APP H2885.1	Title: Ag & seasonal workforce srv	Agency: 540-Employment Security Department
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Part I: Estimates

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No Fiscal Impact

Estimated Cash Receipts to:

NONE

Estimated Operating Expenditures from:

	FY 2020	FY 2021	2019-21	2021-23	2023-25
FTE Staff Years	14.1	13.9	14.0	13.9	13.9
Account					
Employment Service Administrative Account-State 134-1	1,758,437	1,728,995	3,487,432	3,457,990	3,457,990
Total \$	1,758,437	1,728,995	3,487,432	3,457,990	3,457,990

The cash receipts and expenditure estimates on this page represent the most likely fiscal impact. Factors impacting the precision of these estimates, and alternate ranges (if appropriate), are explained in Part II.

Check applicable boxes and follow corresponding instructions:

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If fiscal impact is greater than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete entire fiscal note form Parts I-V.

☐

If fiscal impact is less than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete this page only (Part I).

☐

Capital budget impact, complete Part IV.

☒

Requires new rule making, complete Part V.

Legislative Contact: Jessica Van Horne	Phone: 360-786-7288	Date: 04/15/2019
Agency Preparation: Dan Phillips	Phone: 360 902-9448	Date: 04/19/2019
Agency Approval: Sondra Walsh	Phone: 360/902-0023	Date: 04/19/2019
OFM Review: Anna Minor	Phone: (360) 902-0541	Date: 04/19/2019

Part II: Narrative Explanation

II. A - Brief Description Of What The Measure Does That Has Fiscal Impact

Briefly describe by section number, the significant provisions of the bill, and any related workload or policy assumptions, that have revenue or expenditure impact on the responding agency.

The House Appropriations Committee amendment to E2SSB 5438 does the following:
Section 3, 5 and 6 which related to the collection and disposition of a fee has been removed. In addition, section 6 and 7 of the prior version of the bill relating to a new H-2A enforcement account is deleted. Lastly, the agency will be required to do a major rulemaking - the prior version required an annual rulemaking to set fees.

This version of the bill continues to have fiscal impact to implement this new program. Though this bill does not specify a funding source the Employment Security Department anticipates the use of it's Employment Service Administrative Account - Fund 134, replacing the fee setting authority in prior versions of the bill.

II. B - Cash receipts Impact

Briefly describe and quantify the cash receipts impact of the legislation on the responding agency, identifying the cash receipts provisions by section number and when appropriate the detail of the revenue sources. Briefly describe the factual basis of the assumptions and the method by which the cash receipts impact is derived. Explain how workload assumptions translate into estimates. Distinguish between one time and ongoing functions.

This version of the bill removes the language that provided the agency the ability to collect a fee.

II. C - Expenditures

Briefly describe the agency expenditures necessary to implement this legislation (or savings resulting from this legislation), identifying by section number the provisions of the legislation that result in the expenditures (or savings). Briefly describe the factual basis of the assumptions and the method by which the expenditure impact is derived. Explain how workload assumptions translate into cost estimates. Distinguish between one time and ongoing functions.

This version of the bill continues to require the agency to process and adjudicate H-2A applications, process complaints, conduct field checks, training, and outreach, therefore there are no changes to the fiscal impact. The workload to implement this bill is at 13.9 FTEs. ESD's cost assumes that the office will conduct field checks and visits each year which represents the majority of the expenditures including staffing needs. The cost also entails cost to process applications, compliance activities, and fund the work associated with administering the agricultural wage and prevailing practice surveys.

This version of the bill does not identify a funding source, ESD anticipates the use of funds from the Employment Service Administrative Account - Fund 134 to administer this new program.

The cost and FTE's are as follows:

FY 2020	FY 2021 and on
\$1,758,437	\$1,728,995

The engrossed substitute bill changes the 4.1 new FTE's since the intent continues to request that field checks are conducted per year, as provided for in the original bill. Those FTEs are broken out as follows:

- EMS3 (30%),
- WMS2 (100%)
- WMS3 (20%)

9 WSS5 (100%)
 AA3 (100%)
 2 EA3 (80%)
 RA1 (80%)

The contract amount of \$95,000 is the balance required to conduct the annual survey. The actual cost is \$395,000 where \$300,000 will be expended from the current federal grant funding.

Section 5 of the bill states that the commissioner shall appoint an advisory committee composed of eight voting members and four ex-officio members. The committee members shall serve without compensation, but are entitled to reimbursement for travel expense. All expenses for the committee are entitled to reimbursement for travel expenses as provided in RCW 43.03.050 and 43.03.060. TThe committee must also prepare a report for the governor and legislature by October 31 every even year.

The department must conduct a major rulemaking, to create new rules, and to establish the new office. A new chapter will be written and incorporated into WAC title 192.

The House Appropriations Committee amendment removes all funding sources from the bill.

Part III: Expenditure Detail

III. A - Operating Budget Expenditures

Account	Account Title	Type	FY 2020	FY 2021	2019-21	2021-23	2023-25
134-1	Employment Service Administrative Account	State	1,758,437	1,728,995	3,487,432	3,457,990	3,457,990
Total \$			1,758,437	1,728,995	3,487,432	3,457,990	3,457,990

III. B - Expenditures by Object Or Purpose

	FY 2020	FY 2021	2019-21	2021-23	2023-25
FTE Staff Years	14.1	13.9	14.0	13.9	13.9
A-Salaries and Wages	884,233	869,518	1,753,751	1,739,036	1,739,036
B-Employee Benefits	309,482	304,332	613,814	608,664	608,664
C-Professional Service Contracts	95,000	95,000	190,000	190,000	190,000
E-Goods and Other Services	189,286	179,709	368,995	359,418	359,418
G-Travel	17,819	17,819	35,638	35,638	35,638
J-Capital Outlays					
M-Inter Agency/Fund Transfers					
N-Grants, Benefits & Client Services					
P-Debt Service					
S-Interagency Reimbursements					
T-Intra-Agency Reimbursements	262,617	262,617	525,234	525,234	525,234
9-					
Total \$	1,758,437	1,728,995	3,487,432	3,457,990	3,457,990

III. C - Operating FTE Detail: *List FTEs by classification and corresponding annual compensation. Totals need to agree with total FTEs in Part I and Part IIIA*

Job Classification	Salary	FY 2020	FY 2021	2019-21	2021-23	2023-25
ADMINISTRATIVE ASSISTANT 3	45,096	1.0	1.0	1.0	1.0	1.0
ECONOMIC ANALYST 3	77,616	1.6	1.6	1.6	1.6	1.6
EMS BAND 3	91,116	0.3	0.3	0.3	0.3	0.3
MANAGEMENT ANALYST 5	77,616	0.2		0.1		
RESEARCH ANALYST 1	46,188	0.8	0.8	0.8	0.8	0.8
WMS BAND 2	84,072	1.0	1.0	1.0	1.0	1.0
WMS BAND 3	95,664	0.2	0.2	0.2	0.2	0.2
WORKSOURCE SPECIALIST 5	59,148	9.0	9.0	9.0	9.0	9.0
Total FTEs		14.1	13.9	14.0	13.9	13.9

Part IV: Capital Budget Impact

NONE

N/A

Part V: New Rule Making Required

Identify provisions of the measure that require the agency to adopt new administrative rules or repeal/revise existing rules.

The department must conduct a major rulemaking, to create new rules, and to establish the new office. A new chapter will be written and incorporated into WAC title 192.